



Recommendation for Action

File #: 21-2031, **Agenda Item #:** 43.

6/3/2021

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings for the City of Austin Waterline Relocation (Texas Department of Transportation Oak Hill Parkway (US 290-71)) for the public use of accommodating roadway improvements, to adjust water infrastructures in conflict, and the acquisition of one Water Line Easement being approximately an 0.644 acre (28,054 square feet) easement located in the Peter Matson Survey No. 619, Abstract 538, Travis County, Texas, being a portion of a called 30.98 acre tract of land, described in a deed to Schmidt Investments, Ltd., recorded in June 2, 1997 in Volume 12946, Page 1939, in the Real Property Records of Travis County, Texas, and a portion of a called 9.803 acre tract of land, described in a deed to Schmidt Investments, Ltd., recorded June 2, 1997, in Volume 12946, Page 1836, in the Real Property Records of Travis County, Texas, in the amount of \$70,135. The owner of the needed property is Schmidt Investments, Ltd., a Texas limited partnership. The property is located within District 8, at 0 Circle Drive and 0 US Highway 290 West, EB aka 8360 US Hwy 290, Austin, Texas 78736. The general location of the project is SH 71 at Silvermine to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas.

Lead Department

Office of Real Estate Services.

Fiscal Note

Funding in the amount of \$70,135 is available in the Fiscal Year 2020-2021 Capital Budget of Austin Water.

Prior Council Action:

February 20, 2020: Approval of and Advance Funding Agreement with Texas Department of Transportation (TxDOT) for Relocation of Existing Utilities in conflict with the Oak Hill Parkway Improvement Projects: approved on consent on Council Member Alter's motion, Council Member Harper-Madison's second on a 10-0 vote. Mayor Pro Tem Garza was off the dais.

For More Information:

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Council Committee, Boards and Commission Action:

February 12, 2020 - Recommended by the Water & Wastewater Commission on Commissioner Castleberry's motion and Commissioner Turrieta's second on a 7-0 vote. Commissioners Ho, Michel and Schmitt were absent and Commissioner Parton was off the dais.

Additional Backup Information:

This project is for the relocation and adjustments of existing water and wastewater lines and appurtenances in conflict with Texas Department of Transportation's (TxDOT) Oak Hill Parkway project, located at the convergence of US Highway 290 and US Highway 71.

The work consists of relocating approximately 561 linear feet of 30-inch diameter water line, 2,712 linear feet of 24-inch diameter water line, 23,904 linear feet of 16-inch diameter water line, 5,954 linear feet of 12-inch diameter water line, 908 linear feet of 8-inch diameter water line, 4,987 linear feet of 36-inch diameter wastewater line, 66 linear feet of 30-inch diameter wastewater line, 110 linear feet of 18-inch diameter wastewater line, 200 linear feet of 15-inch diameter wastewater line, 6,674 linear feet of 8-inch diameter wastewater line, 269 linear feet of 6-inch diameter wastewater line, including appurtenances. The construction of this relocation will be included in the TxDOT contract. TxDOT anticipates starting the utility relocation construction in the Summer of 2020.

Austin Water's existing water and wastewater lines are required to be adjusted to accommodate the proposed roadway improvements, and this agreement with TxDOT will allow those water and wastewater infrastructures in conflict to be adjusted. This project brings together the efforts of TxDOT and Austin Water in the design and construction of the roadway improvements and utility adjustments to minimize impacts to the public and save costs.

The City of Austin has attempted to purchase the needed property at 0 Circle Drive and 0 US Highway 290 West, EB aka 8360 US Hwy 290, Austin, Texas 78736. Negotiations have come to an impasse. The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.

Strategic Outcome(s):

Government that works for all.